

Decision 09-04-007 April 16, 2009

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation on the Commission's Own Motion into the Operations and Practices of the Yermo Water Co. (U354W), and its Owner/Operator, Donald Walker; Notice of Opportunity for Hearing; and Order to Show Cause Why the Commission Should Not Petition the San Bernardino County Superior Court for a Receiver to Assume Possession and Operation of the Yermo Water Co. pursuant to the California Public Utilities Code Section 855.

Investigation 08-04-032
(Filed April 24, 2008)

ORDER EXTENDING STATUTORY DEADLINE

Summary

Section 1701.2(d) of the Public Utilities Code provides that adjudicatory cases shall be resolved within 12 months of initiation unless the Commission makes findings why that deadline cannot be met and issues an order extending the deadline. The 12-month deadline for resolving this matter is April 23, 2009.

Although the Presiding Officer's Decision (POD) is scheduled to be issued prior to the deadline, the parties' time to comment and/or appeal the POD will not expire until after April 23, 2009. This order extending the statutory deadline may therefore be necessary in order to allow for comments and any appeals from the POD. In order to allow thorough consideration if any comments or an appeal is filed, we will extend the deadline to the end of August 2009.

Therefore, good cause appearing, we extend the deadline for resolving this case until August 31, 2009.

Waiver of Comments on Proposed Decision

Under Rule 14.6(a) of the Commission's Rules of Practice and Procedure, the Commission may reduce or waive the period for public review and comment of proposed decisions that extend the deadline for resolution of adjudicatory proceedings. Accordingly, pursuant to Rule 14.6(a), the otherwise applicable period for public review and comment is being waived.

Assignment of Proceeding

John A. Bohn is the Assigned Commissioner and Michael J. Galvin is the assigned Administrative Law Judge in this proceeding.

Findings of Fact

1. Pursuant to Pub. Util. Code § 1701.2(d), the current deadline for resolving this case is April 23, 2009.
2. The parties' opportunity to appeal the POD will not expire until after April 23, 2009.
3. This order extending the statutory deadline may be necessary in order to allow for filing and consideration of appeals from the POD.

Conclusions of Law

1. The current deadline for resolution of this proceeding, imposed by Pub. Util. Code § 1701.2(d), should be extended until August 31, 2009.
2. In order to clarify the deadline for this proceeding, this order should be effective immediately.

IT IS ORDERED that the current deadline for resolution of this proceeding, imposed by Pub. Util. Code § 1701.2(d), is extended to August 31, 2009.

This order is effective today.

Dated April 16, 2009, at San Francisco, California.

MICHAEL R. PEEVEY

President

DIAN M. GRUENEICH

JOHN A. BOHN

RACHELLE B. CHONG

TIMOTHY ALAN SIMON

Commissioners